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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,265	02/23/2000	Charlie Ghahremani	37075/JEC/X2	4000
35114	7590	07/11/2005	EXAMINER	
ALCATEL INTERNETWORKING, INC. ALCATEL-INTELLECTUAL PROPERTY DEPARTMENT 3400 W. PLANO PARKWAY, MS LEGL2 PLANO, TX 75075			HOM, SHICK C	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/511,265	GHAHREMANI, CHARLIE	
	Examiner Shick C. Hom	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-7,9 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-7,9,16,17 and 19-22 is/are rejected.
- 7) Claim(s) 18 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-7, 9, 16-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-7, 9, 16-17, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kloth et al. (6,643,260) in view of Macera et al. (5,490,252).

Regarding claims 1, 3-7, 9, 16-17, and 19-22:

Kloth et al. disclose in a data switch (see col. 1 lines 18-21 which recite the invention relates to switching packet data) including a plurality of interface modules, a method of

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forwarding a block of data comprising: receiving a first packet in a first protocol via a first interface module of the plurality of interface modules; the packet having an associated descriptor, wherein the associated descriptor comprises a quality of service field for provisioning resources (see col. 4 lines 45-53 which recite the QoS label being assigned to a packet which determines how the packet is treated as it flows through the device clearly anticipate the packet comprising a quality of service field); placing the packet into a receiving queue corresponding to a quality of service level of the packet; passing the packet to an application according to the associated descriptor of the packet (see col. 2 line 55 to col. 3 line 10 which recite each flow being assigned a queue and access control being based on QoS and protocol types clearly anticipate the receiving queue and first and second packets having a first and second protocols, respectively) as in claims 1, 6, 21, 22; a forwarding queue for receiving the packet from the application, the forwarding queue corresponding to a quality of service level of the packet (see col. 6 lines 60-64 which recite the forwarding decision being a parameter to the output queue scheduling process as in claim 9).

For claim 1, 3-7, 9, 16-17, and 19-22, Kloth et al. disclose all the subject matter of the claimed invention with

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the exception of translating the first packet into a generic format to create a generic packet; translating the generic packet into a second protocol to create a second packet at a second interface module; and sending the second packet to an output port, wherein the first interface module and the second interface module are associated with dissimilar communication media as in claims 1, 3, 6, 7, 21, 22; wherein the sending comprises sending the second packet to a backplane, the second packet having a port address within a range reserved for a destination port as in claims 4, 16, 22; wherein the destination port is selected from a group consisting of known internal unicast ports, known internal multicast ports, known external multicast ports, and dynamic multicast ports as in claims 5, 22; wherein the associated descriptor further comprises a buffer descriptor for provisioning system buffer resources including information comprising the physical port address of the output port (see Fig. 1C and col. 13 line 66 to col. 14 line 26 which recite the port selecting the queue based upon the ToS/CoS field of the packet and col. 13 lines 10-37 which recite the TOS field and detecting the physical port of the device that the packet arrived on clearly reads on the buffer descriptor including the physical port address of the output port) as in claims 17, 19-20.

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Macera et al. from the same or similar fields of endeavor teach that it is known to provide the step of translating the first packet into a generic format to create a generic packet; translating the generic packet into a second protocol to create a second packet at a second interface module; and sending the second packet to an output port, wherein the first interface module and the second interface module are associated with dissimilar communication media (see col. 1 line 66 to col. 2 line 21 and col. 8 lines 23-43 which recite converting native packet to a generic format and converting the generic packet to the native packet format for the purpose providing transparent interconnection of multiple dissimilar LANs and allowing users of such dissimilar LANs to transparently exchange data in both bridge and router applications clearly anticipate the step of translating first packet to a generic format and translating the generic packet to a second packet wherein the communication medium is dissimilar); wherein the sending comprises sending the second packet to a backplane, the second packet having a port address within a range reserved for a destination port (see col. 14 lines 20-57 which recite the implementation of the backplane including the data port interface chip, the data channels address range, and port card); wherein the destination port is selected from a group consisting of known internal unicast

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ports, known internal multicast ports, known external multicast ports, and dynamic multicast ports (see col. 9 lines 28-48 which recite the output port or destination port being multicast ports). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to translate the first packet into a generic format to create a generic packet; translate the generic packet into a second protocol to create a second packet at a second interface module; and send the second packet to an output port, wherein the first interface module and the second interface module are associated with dissimilar communication media, wherein the sending comprises sending the second packet to a backplane, the second packet having a port address within a range reserved for a destination port; wherein the destination port is selected from a group consisting of known internal unicast ports, known internal multicast ports, known external multicast ports, and dynamic multicast ports as taught by Macera et al. in the communications method and system of Kloth et al. The step of translating the first packet into a generic format to create a generic packet; translating the generic packet into a second protocol to create a second packet at a second interface module; and sending the second packet to an output port, wherein the first interface module and the second interface module are

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associated with dissimilar communication media, wherein the sending comprises sending the second packet to a backplane, the second packet having a port address within a range reserved for a destination port; wherein the destination port is selected from a group consisting of known internal unicast ports, known internal multicast ports, known external multicast ports, and dynamic multicast ports can be implemented by connecting the translator; using the backplane; and providing the multicast ports of Macera et al. to the transmitter and receiver of Kloth et al. The motivation for providing the step of translating the first packet into a generic format to create a generic packet; translating the generic packet into a second protocol to create a second packet at a second interface module; and sending the second packet to an output port, wherein the first interface module and the second interface module are associated with dissimilar communication media, wherein the sending comprises sending the second packet to a backplane, the second packet having a port address within a range reserved for a destination port; wherein the destination port is selected from a group consisting of known internal unicast ports, known internal multicast ports, known external multicast ports, and dynamic multicast ports as taught by Macera et al. in the communication method and system of Kloth et al. being that it provides the

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desirable added feature of providing transparent interconnection of multiple dissimilar LANs and allowing users of such dissimilar LANs to transparently exchange data in both bridge and router applications including the feature of multicasting.

Allowable Subject Matter

4. Claim 18 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shreve et al. disclose method of conforming input data to an output data structure and engine for accomplishing same.

Hartmann et al. disclose communication traffic circle system and method for performing packet conversion and routing between different packet formats including an instruction field.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH



DANG TON
PRIMARY EXAMINER